



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,962	04/02/2004	Ilay Nave	2193.0090001	7737
26111 7590 05/12/2008 STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				
EXAMINER				
KENDALL, CHUCK O				
ART UNIT		PAPER NUMBER		
2192				
MAIL DATE		DELIVERY MODE		
05/12/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/815,962

Applicant(s)

NAVE ET AL.

Examiner

CHUCK O. KENDALL

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-10 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-893)
Paper No(s)/Mail Date 05/11/06
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

Detailed Action

1. This is in response to application filed 04/02/04.
2. Claims 1 – 10 have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1 – 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kubota US 2005/0086538 A1.

Regarding claims 1 and 6, a method for determining whether a client is attempting to copy an application or use the application without authorization, the method comprising:

creating data for at least one prediction log file for the application [0032, see detection log 137];

based on said at least one prediction log file, determining prediction knowledge for the application, wherein said prediction knowledge is stored in a prediction file [0032];

forwarding said prediction file to the client executing the application [0033]; and
using said prediction file to determine whether the client is attempting to copy the
application or use the application without authorization [0031, see detection rule 136].

Regarding claims 2 and 7, the method of claim 1, further comprising:

if it is determined that the client is attempting to access the application without
authorization, then terminating the client's access to the application (FIG. 6, see step
s603 for unauthorized client and permit access and also step s613).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 4, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Kubota US 2005/0086538 A1 as applied in claim 1 above, in view of Knouse et al.
US 7,185,364 B2.

Regarding claims 3 and 8, Kubota further discloses the method of claim 1,
wherein the step of creating is comprised of the following:

merging block lds [0039, shows merging];

creating short term strings [0064, see claim 6 for creating string].

Kubota doesn't expressly disclose wherein deleting triggers, creating long term strings, sorting said short term strings and said long term strings, and creating the triggers scheme data structure to create said at least one prediction log file.

However, Knouse in an analogous art and similar configuration of monitoring and managing access see (abstract) discloses, an organization manager which creates, modifies and deletes internal or external structures and entities depending on which application/resources it wants to make accessible (46:60 – 47:20). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kubota and Knouse because, it would enable managing the entities that it deems to have proper access to certain applications and resources as suggested by Knouse above.

Regarding claims 4 and 9, the method of claim 3, wherein the step of merging block IDs is comprised of the following:

gathering at least one record in a connection table, wherein said at least one record has a first ID key and an second ID key [Kubota, see ID 0033];

sorting said gathered records by said second ID key, wherein said second ID key in said sorted records is sorted by average distance ascending [0033]; and

merging said gathered records with said first ID key and said second ID key with records with said second ID key and a third ID key to create records with said first ID key and said third ID key [Kubota, 0039, shows merging].